# Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 1 of 48

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	•
Date: $\frac{12/31/12}{}$	Signature & Marty
•	Glen E Gentry
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as:
	(Title)
	(Corporate, Trust, Partnership or other entity)
	addicising of other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 2 of 48

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Guss Guarino, attorney for the United States of America

	ŲÇ.		 33	ZOI3FEE	
C	3 T	. •			

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) w	ill retain all defenses or objections to the lawsuit or to the
jurisdiction or venue of the Court except for objections by	ased on a defect in the Notice in Lieu of Summons or in the
service of the Notice in Lieu of Summons.	/

Date: <u>2-20-13</u>

Signature Colum-

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>trustee</u> of

(Title)

GIBERTI TRUST AGREEMENT 07-28-2008

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney G.

Guarino with a notice of appearance and intent to participate.

# Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 3 of 48

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-3-13 Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 4 of 48

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/17/12 If you are acting on behalf of any entity, identify that you are acting as: Trustee (Title) 15 Revecable Family Toust (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 1777 Filed 12/20/12 Page 1 of 3
Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 5 of 48

B:73-cv-127 DRY

December 22,2012

RE: United States V Walker River Irrigation Dist., et al., In Equity No. C-125; Subfile C-125B

I feel that I have no interest in this case. I own a one acre lot with a home on it parcel #001-240-008-000. I have a well that supply water for my home, garden, trees and lawn other than that I do no irrigation.

There is an irrigation ditch that crosses my property but I have no right to the water that is in it.

The ditch has a deeded easement across my property but I can not use any of the water in it.

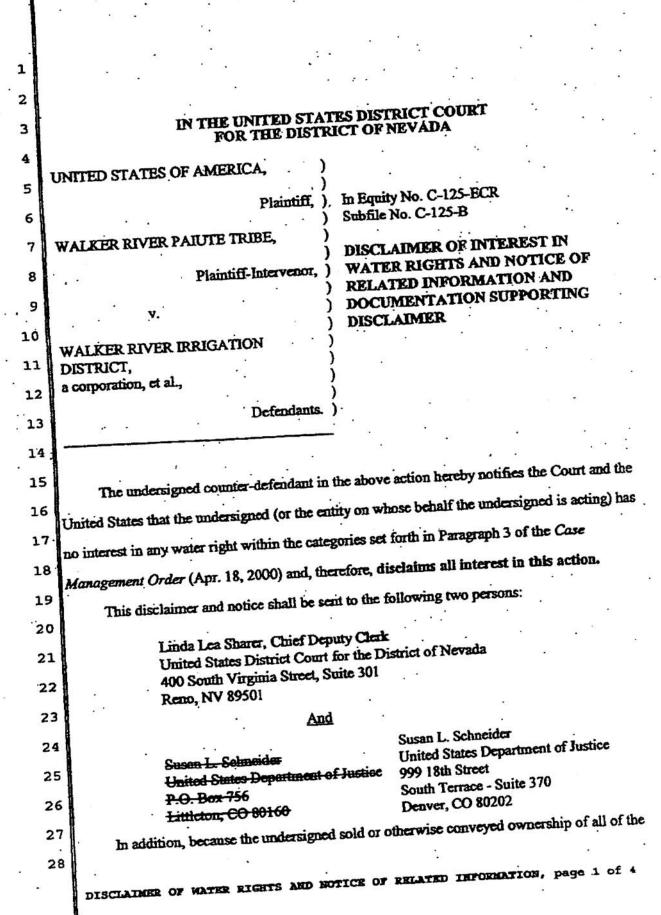
Sincerely,

Fredrick W Harris Jr.

Trustee for the

Harris Revocable Family Trust

Fredrich Il Harrisfe.



hthirth. Humallahan III hand blandillaha

PoBox 85 Topaz Ca9613

Linda La Sharar Chiet Dapaty Clei United States District Court 400 South Virginia Street Saite 301 Reno Mr 89501



1 2 IN THE UNITED STATES DISTRICT COURT 3 FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 In Equity No. C-125-ECR Plaintiff, ). 6 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE, 7 DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF 8 Plaintiff-Intervenor, RELATED INFORMATION AND DOCUMENTATION SUPPORTING 9 DISCLAIMER 10 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 12 Defendants. 13 14 The undersigned counter-defendant in the above action hereby notifies the Court and the 15 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 16 no interest in any water right within the categories set forth in Paragraph 3 of the Case 17 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 18 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 22 Reno, NV 89501 23 And Susan L. Schneider 24 United States Department of Justice Susan L. Schneider 25 United States Department of Justice 999 18th Street South Terrace - Suite 370 P.O. Box 756 26 Denver, CO 80202 Littleton, CO 80160 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 27 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

# Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 9 of 48

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 2 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: The name and address of the party or parties who sold or otherwise conveyed 5 1. 6 ownership: Our Land 15 Not Riparian to ributaries or 7 Name(s): 8 9 Street or P.O. Box: 10 11 Town or City: 12 13 14 he WAlker River 15 16 The name and address of each person or entity who acquired ownership 2. 17 18 Name(s): 19 20 21 Street or P.O. Box: 22 23 Town or City: 25 State: 26 27 Zip Code: 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

# Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 10 of 48

- 1	
1	
2	3. Attached to or included with this notice is a copy of the (check appropriate
3	3. Attached to or included with this notice is a sopy of the
4	box(es)):
5	
6	□ Decd
7	☐ Court Order
8	☐ Other Document.
9	
	by which the change in ownership was accomplished.
10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
11	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
13	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
14	this litigation.
15	
16 17	Executed this O8 day of JAN 20 13
18	
19	
20	
21	를 잃었다. 그는 이렇게 모르겠다면 그는 이번 보는 생생님이 되는데 어떤 경기의 가능을 된 중
22	[signature of counter-defendant]
23	$\Lambda$
24	I III TICKE
25	
26	William [Ville [name of counter-defendant]
2'	
2	TYPODWANTON DAGE 3 Of 4
	OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 Of 4

### \*Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 11 of 48

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] [address] 116851 Hwy 395 TOPAZ, CA 96133 [telephone number] 530-495-2682 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:/	-7-13		Signature
	8 (Kan)	01 27 204	Printed/Typed Name
e Te	50 E	*	If you are acting on behalf of any entity, identify that you are
			acting as:o
1 (d)	100		(Title)
	40		(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>/- ;</u>	7-/3		Maria Homander Signature Maria Horandez	
		7.55 10 10 10 10 10 10 10 10 10 10 10 10 10 1	Printed/Typed Name If you are acting on behalf of any entity, identify the	
*			acting as:(Title)	at you are of
			(Corporate, Trust, Partnership or other entity)	
397			, and the state of	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Filed 03/21/13 Page 1 of 10 Document 1856 1/21/13 Page 14 of 48 RECEIVED FILED SERVED ON ENTERED COUNSELPARTIES OF RECORD 1 MAR 2 1 2013 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 CLERK US DISTRICT COURT DISTRICT OF NEVADA 4 0 UNITED STATES OF AMERICA 5 In Equity No. C-125-ECR Plaintiff. Subfile No. C-125-B 6 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 7 WATER RIGHTS AND NOTICE OF Plaintiff-Intervenor, RELATED INFORMATION AND 8 DOCUMENTATION SUPPORTING 9 DISCLAIMER 10 WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 Defendants. 13 14 The undersigned counter-defendant in the above action hereby notifies the Court and the 15 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 16 no interest in any water right within the categories set forth in Paragraph 3 of the Case 17 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 18 This disclaimer and notice shall be sent to the following two persons: 19 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 22 Reno, NV 89501 23 And Susan L. Schneider United States Department of Justice 24 Susan L. Schneider 999 18th Street United States Department of Justice 25 South Terrace - Suite 370 P.O. Box 756 Denver, CO 80202 26 Littleton, CO 80160 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 27 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

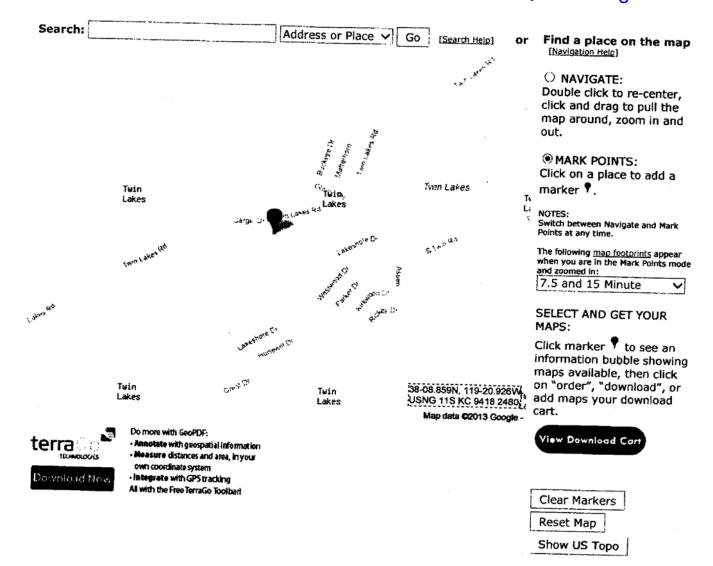
N					
	the common conce				
1	ater rights that the undersigned (or the entity on whose behalf the undersigned is acting) once				
2	the undersigned was served with a Waiver of Service of Notice in Live of				
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following				
4					
5	The name and address of the party or parties who sold or otherwise conveyed				
6	ownership:				
7	Name(s):				
8					
9	Street or P.O. Box:				
10					
1.1					
12	Town or City:				
13	*N & & _ & _ & _ & _ & _ & _ & _ & _				
14	State:				
15					
1	address of each person of entity who address				
1	7 2. The name and address of odds p				
1	The state of the s				
1	Name(s):				
2	0				
2	1 Street or P.O. Box:				
2	2				
2	Town or City:				
:	24				
	State:				
ŝ	26				
	Zip Code:				
	28 DISCLATMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4				
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF				

ı I	
1	
2	of the (check appropriate
3	<ol> <li>Attached to or included with this notice is a copy of the (check appropriate</li> </ol>
	box(es)):
4	
5	Deed .
6	Court Order
7	Other Document.
8	Letter to Susan Schneider from Dave Hillman Dated 3/18/10/15 Subject United States v Walker River Irrigation Dist
9	by which the change in ownership was accompanied.
10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
1,1	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
13	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
14	
15	this litigation.
16	Executed this 18 day of March 20 13.
17	Executed this 18 day of 11/4 20 15
18	
19	(Dellinan
20	
21	[signature of counter-defendant]
22	William Family Trust
23	PO Box G
24	Hillman Family Trust  PO Box Ge 181 Charley Day Drive 181 Charley CA 93517  Bridgeport, CA 93517
25	Bridgeport, Ch
26	[name of counter-defendant]
27	
28	·
	NOTICE OF PRINTED INFORMATION, page 3 of 4
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF ADDRESS.

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] PO BOX 6 [address] [telephone number] 

WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page

USGS Score Digital File Down Gall WGC Document 1856 Filed 03/21/13 Page 5 of Page 1 of 1 Case 3:73-cv-00127-MMD-CSD Document 2 Filed 9/21/13 Page 18 of 48



# The USGS Store 7 Dec stop stop stop for rile our proper mental & filted Floated 3 & Rate 1 3 val Page 1 of 1 Case 3.73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 19 of 48 Attachment (C)

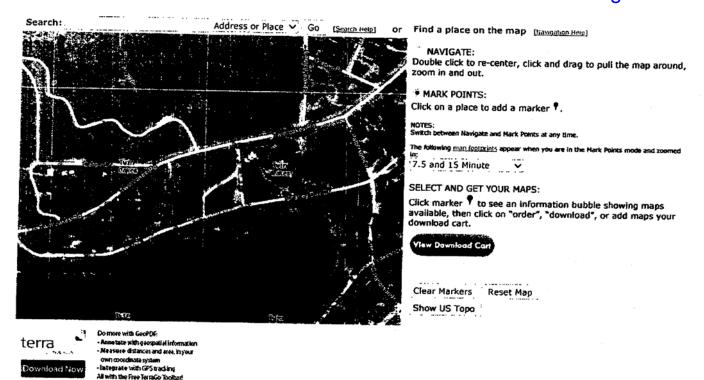


he USGS Store			No Items in Basket : Hall
< Back To Store Allows 1850 Mass 1 Sent	Albar Halla Paleman isi	article Many Status Proc	(Secure 27 ps) Caraktan
Map Locator & Downloader Don't see the Map Locator & Downloader? Help   Haw	DOT Disclaimer on Google Maps API ing trouble? Call: 1-888-ASK-USGS (1-888-275-87	47, Select Option 2) or Wrl	ia: <u>ususto<u>ceibusos, gov</u> for help.</u>
Search:	Address or Place ✓ Go (So	2/	i a place on the map (Navigation Hen)
	THE CONTRACT OF PROPERTY.	Dou	NAVIGATE: ble click to re-center, click and drag to pull the map and, zoom in and out.
	Ş	<b>€</b> N	IARK POINTS:
		Clic	k on a place to add a marker 🖣 .
	n <sub>are</sub> Lake Rd	NOTE Switch	S: h bet <del>vee</del> n Navigate and Mark Points at any time.
	1 200	Switch The F	Blowing map footpoots appear when you are in the Mark Points mode and
-	Tuin		and 15 Minute
Carp: Dr. Twin Lakes	Lakes		
Cara: Dr. Lakea	Chesting coats on .	Clic	ECT AND GET YOUR MAPS: k marker <sup>†</sup> to see an information bubble showing map: ilable, then click on "order", "download", or add maps r download cart.
quartition on the first		Lieuwite, Vi	w Downlaad Cart
	20 20 31	2N 119-20-952W	ear Markers Reset Map
	USNG 1	18 KC 9417 2571; Si	now US Topo
Twin	Tetn Map	data ©2013 Google -	
Do more with GeoFDP:  Annetate with geopoidal inform.  Measure distances and are, in own coordinate system.  Integrate with GPS wacking.  All with the Free TersaGo Toolban	yeus		
Download Adobe Boader to vis	ew PDF files.		

U.S. Department of the Interior | U.S. Geological Survey

URL: http://store.usgs.gov Page Contact Information: usgsstore@usgs.gov Page Last Modified: May 17, 2012

# USGS Store 1 1 10 12 PRE3 WGC Decument 1856 Filed 03/21/13 Page 7 of Rage 1 of 1 Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 20 of 48



SA Imagery Man 3:73-cv-00127-RCJ-W&C/Document 1856 Filed 03/21/13 Page 8 of 10 Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 21 of 48 riety of governmental and commercial sources.



irce: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User nmunity

### You may contact me as follows:

Summer:

Dave Hillman

181 Charley Day Drive

PO Box 6

Bridgeport, CA 93517-0006

(760) 932-1000

DaveHillman@msn.com

Winter:

Dave Hillman

5209 Rolling Hills Drive Anaheim Hills, CA 92807

(714) 998-5209

DaveHillman@msn.com

Thanking you for your consideration and help,

Cc:

Linda Lea Sharer, Chief Deputy Clerk

United States District Court for the District of Nevada

Dave Hillman, Trustee, FBO Hillman Family Trust UAD 6/22/2001

400 South Virginia Street, Suite 301

Reno, NV 89501

Stacey Simon, Assistant county Counsel

Mono County, California

PO Box 2415

Mammoth Lakes, CA 93546

3/18/2013

Susan L. Schneider Attorney for Plaintiff, United States of America US Department of Justice 999 18<sup>th</sup> Street South Terrace – Suite 370 Denver, CO 80202

Subject: United States v Walker River Irrigation Dist., et al., In Equity No. C-125; Subfile C-125-B

Attachments: (A) Disclaimer Of Interest In Water Rights

- (B) Google Wide View Map, 181 Charley Day Drive
- (C) Google Close View Map, 181 Charley Day Drive
- (D) Google Close Hybrid View, 181 Charley Day Drive
- (E) USA Imagery Map, 181 Charley Day Drive

Dear Ms. Schneider,

I am contacting you regarding the Subject lawsuit. My property is 181 Charley Day Drive, Bridgeport, CA 93517. Its Legal Description is "Twin Lakes Subdivision, Lot 2, Block T". It is Parcel Number 010332010000.

My property is not riparian. I have no water rights. No body of water flows through my property, stands on my property or is adjacent to my property. There are no irrigation or drainage ditches on my property. Given this information, I believed that the Subject lawsuit paperwork was sent to me in error (the paperwork was received in late February after having been misdirected multiple times by the Post Office in the forwarding process). Since I believed the sending of this lawsuit paperwork to be in error, on 3/14/2013 I contacted Ms. Stacey Simon, Assistant County Counsel, Mono County, California. Ms. Simon investigated the matter and on 3/18/2013 informed me that she concluded my property should not have been included in the lawsuit; its inclusion was an error.

Accordingly, I am filing a Disclaimer Of Interest In Water Rights which is Attachment (A). To orient you to my physical property, I am also attaching Attachments (B) through (E). My property is surrounded on all sides by private property owned by others. The only property that is riparian and adjacent to mine in these map views is the property immediately south of mine; it is adjacent to Upper Twin Lake and is owned by Twin Lakes Enterprises.

Attachments (B) and (C) show wide and close views respectively of my property on a Google standard map format; my property location is indicated by the red marker. Attachment (D) shows a hybrid Google satellite/map view of my property with my property again shown by a red marker. Attachment (E) shows an Ersi view of my property compiled from multiple government data bases; my home is the one with the large bright green roof.

Please remove my name and property from the list of parties having an interest in the Subject water rights lawsuit, and also please notify me when this action is completed.

### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 24 of 48

U.S. DEPT. OF JUSTICE ENV. & NAT. RES. DIV.

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SEMMONS

2013 JAN 15 PM 2: 42 TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>Bec 31, 2012</u>	Signature Signature
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are acting as:
a a	(Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 25 of 48

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/23/12	Kathlen G. Hoffman Signature KATHLEEN A HOFFMANN
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
20 4	acting as:
2 (2) 2	(Title)
The second secon	
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

	e 3:73-cv-00127-RCJ-vvGC Document	
Case 3: /	3-cv-00127-MMD-CSD Docun	nent <del>2 Filed 11/21/13 Page 26</del> of 48
		ENTERED SERVED ON
f		COUNSEL/PARTIES OF RECORD
.1		
1		DE0 2 0 2012
- 1		DEC 2 8 2012
2		
,	· · · · · · · · · · · · · · · · · · ·	TES DISTRIC PLENS US DISTRICT COURT  PLOT OF NEVAD ASTRICT OF NEVADA
. 3	IN THE UNITED STA	RICT OF NEVADASTRICY OF NEVADA  DEPUTY
. 4	FOR THE DIST.	BY:DEPUTY
3	UNITED STATES OF AMERICA,	
5	UNITED STATES OF AMERICAN	
	Plaintiff,	In Equity No. C-125-ECR
6		Subfile No. C-125-B
7	WALKER RIVER PAIUTE TRIBE,	
'	WALKERRITHOID	DISCLAIMER OF INTEREST IN
. 8	Plaintiff-Intervenor,	WATER RIGHTS AND NOTICE OF
	1 imitual most open	RELATED INFORMATION AND
. 9	•	DOCUMENTATION SUPPORTING
	<b>*</b>	DISCLAIMER
10	WALKER RIVER IRRIGATION	
. 11	DISTRICT,	,
	a corporation, et al.,	)
. 12	a corporation, or all,	j ·
. 13	Defendants.	)
. 13		
14		
15	The undersigned counter-defendant in	the above action hereby notifies the Court and the
16		
10	United States that the undersigned (or the ent	ity on whose behalf the undersigned is acting) has
· 17·		arise set forth in Paragraph 3 of the Case
	no interest in any water right within the categ	
18	Management Order (Apr. 18, 2000) and, then	refore, disclaims all interest in this action.
19	0.	· · · · · · · · · · · · · · · · · · ·
	This disclaimer and notice shall be sen	t to the following two persons:
20	<u></u>	
	Linda Lea Sharer, Chief Depu	ty Clerk
. 21	United States District Court for	or the District of Nevada
.22	400 South Virginia Street, Su	ite 301
	Reno, NV 89501	
23		
	And	
24		Susan L. Schneider
25	Susan L. Schneider	United States Department of Justice
	United States Department of	Justice 999 18th Street
26	P.O. Box 756	South Terrace - Suite 370
27	Littleton, CO 80160	Denver, CO 80202
21	In addition, because the undersigned s	old or otherwise conveyed ownership of all of the
28		1
, = •		
•	1	OF OF PRILATED INFORMATION, page 1 of 4

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 2 Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information: The name and address of the party or parties who sold or otherwise conveyed 5 6 vnership: KATITLEEN A HOFFMANN

25669 HAY 6 PMB #H 7 Name(s): 8 9 Street or P.O. Box: 10 11 BENTON Town or City: 12 13 14 15 93512-9998 Zip Code: The name and address of each person or entity who acquired ownership 16 17 CO-OWNER (WITH MY HUSBAND WANTERM HOFMANN) 18 Name(s) 19 OF LOT #10, BLOCK A, SUBONISION #3 20 21 Street or P.O. Box: 22 23 Town or City: 24 25 State: 26 27 Zip Code: 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2

Case 3:73-cv-00127-RCJ-WGC Document 1786 Filed 12/28/12 Page 3 of 4 Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 28 of 48 1 Attached to or included with this notice is a copy of the (check appropriate 2 3 box(es)): 4 5 Deed 6 Court Order 7 Other Document. 8 9 by which the change in ownership was accomplished. The undersigned acknowledges that any person or entity who files a Disclaimer 10 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, 11 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, 12 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of 13 14 this litigation. 15 16 Executed this 33 day of OECEMBER 20 12 17. 18 19 20 21 22 23 24 25 [name of counter-defendant] 26

27

28

EXHIBIT 200

## Case 9.3793-009277MMDY-05D9966111688 2FH9612/28/121/1395436 29 of 48

[name, if applicable, of person acting on 3. behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] .11 [address] [telephone number] WATER RIGHTS AND NOTICE OF RELATED

### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 30 of 48

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### Susan L. Schneider, attorney for the Whited States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Signature WALTER Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 1/791 Filed 12/28/12 Page 1 of 4 ase 3173-cv-00127-MMD-CSD Docum Redeweb age 31 of 48 FILED SERVED ON ENTERED COUNSEL/PARTIES OF RECORD DEC 2 8 2012 1 2 IN THE UNITED STATES DISTERNISDISCOCKTURI FOR THE DISTRICT OF MENADOR NEVADA 3 DEPUTY UNITED STATES OF AMERICA, 5 In Equity No. C-125-ECR Plaintiff, Subfile No. C-125-B 6 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 7 WATER RIGHTS AND NOTICE OF Plaintiff-Intervenor, 8 RELATED INFORMATION AND DOCUMENTATION SUPPORTING 9 DISCLAIMER 10 WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 Defendants. 13 14 The undersigned counter-defendant in the above action hereby notifies the Court and the 15 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 16 no interest in any water right within the categories set forth in Paragraph 3 of the Case 17 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 18 This disclaimer and notice shall be sent to the following two persons: 19 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 22 Reno, NV 89501 23 And Susan L. Schneider 24 United States Department of Justice Susan L. Schneider United States Department of Justice 999 18th Street 25 South Terrace - Suite 370 P.O. Box 756 26 Denver, CO 80202 Littleton, CO 80160 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 27 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

1				
1	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once			
2	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of			
_	owned before the undersigned was served with a vindersigned provides the following			
. 3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following			
. 4	additional information:			
5	The name and address of the party or parties who sold or otherwise conveyed			
6	OWNERSHIP: WAKTER M HOFFMANN.			
7	Name(s):			
. 8	242 44			
9	Street or P.O. Box: 25669 HW46 PM8 # H.			
10				
11				
12	Town or City: BENION DQ.			
13				
. 14	1			
1	Zip Code: 93512 - 9998			
1	Zip Code: 93572 - 9990  2. The name and address of each person or entity who acquired ownership			
1	<b>)</b>			
1	8 CO-DWNER (WITH MY WIFE			
1	Name(s): KATHLEEN A. HOFFINAUN)			
2	DE LOT #10, BLOCKA, SUBDIVISION #3			
į	Street or P.O. Box: VIRGINIA LKS, CA.			
:	22			
	23			
	Town or City:			
	25			
	State:			
	27			
	Zip Code:			
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4			

	•	
20	1	
•		
	1	
	2	the (check appropriate
	-	<ol> <li>Attached to or included with this notice is a copy of the (check appropriate</li> </ol>
	3.	
-		box(es)):
7.	4	
	5	
	. •	□ Decd
	6	
	_	☐ Court Order
	7	Other Document.
	8	
	9	1 cocomplished
	3.0	by which the change in ownership was accomplished.
	. 10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
620	11	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
*		of Interest in this matter is ultimately responsible for the accuracy of the
<b>3</b>	12	designation of the state and person or entity who files a Disclaimer of interest, but,
	13	the undersigned acknowledges that any possession in the results of
		in fact has water rights subject to this lingation, shall never the state of the same of t
83	14	
	15	this litigation.
į.	. 15	
:	16	Namo (A and 1)
21	72.74	Executed this 23 day of Ntth Bea 20 12
	1	
(*)	1	B
		3
•	1	9 3
	. 2	60 mg Wall Willy
	2	The the
•	2	1 4 4 3
: (*)	1000	The Read of the Manual Signature of counter-defendant]  [signature of counter-defendant]  [name of counter-defendant]
	2	
e 12	2	13 Tay Tay
	•	Z W
•	2	14 The Tale of the last of the
		The state of the s
	2	[name of counter-defendant]
	:	26
		27
		28
1	- 18 - 18	
		DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4
		gramma and the second of the s

# Case 3:73-cv-00127-RCI-WGC Document 1791, Filed 12/28/12, Page 4 of 4 Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 34 of 48

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] .11 [address] [telephone number] 

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

- 27

Street or P.O. Box 1529 Fawnhaven Way

26

27

Ca	ise 3;	73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 36 of 48
	2	Lodi CA 9524A
	3	2. The name and address of each person or entity who acquired ownership
	4	II and the second secon
	. 5	Grace Menesini
	6	221 W. Virginia Street
	7	Town or City State ZipCode
	8	Yerington NV 89447
	9	3. Attached to or included with this notice is a copy of the (check appropriate
	10	box(es)):
		□ Decd
	1)	□ Court Order .
	12	Other Document.
	13	by which the change in ownership was accomplished.
	14	4. The undersigned acknowledges that any person or entity who files a Notice of
	15	Change of Ownership of Water Right using this form is ultimately responsible for the accuracy
	16	of this filing. Consequently, the undersigned acknowledges that any person or entity who files
	;	
	18	
	19	* 77.
	20	This notice shall be sent to the following two persons:
	21	Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301
	22	Reno, NV 89501
	23	<u>And</u>
	24	Susan L. Schneider  Susan L. Schneider  United States Department of Justice  United States Department of Justice
	25	P.O. Box 756 999 18th Street  Littleton, CO 80160 South Terrace - Suite 370
	26	Denver, CO 80202
	27-1	
	11	· · · · · · · · · · · · · · · · · · ·

Case 3;7	3-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 37 of 48 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this
2	litigation.
3	
4	Executed this 28 day of January 13
5	
6	$\mathcal{L}_{1}$
7	7.15
. 8	[signature of counter-defendant]
9	
10	George Hughes
11	[name of counter-defendant]
12	· · · · · · · · · · · · · · · · · · ·
13	[signature, if applicable, of person acting on
14	behalf of counter-defendant]
15	
. 16	[name, if applicable, of person acting on
17	behalf of counter-defendant]
18	
19	
20	F-21
21	[address]
22	[telephone number]
. 23	
24	
25 _	
26	
27	
28 N	OTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3 EXHIBIT 203
	LAHIDH 203

#### Case 3:73-cv-00127-M Page 38 Page 3 nt 2 Filed 1 #120613 #491517 2 ARIORITY Ome: #8 Tr. SE 1/4 of NE 1/4, Sec. 28; LEGAL DESCRIPTION: #14920 DOCUMENT # DECUMENT HISTORY: Division #: 24300 221 W. Virginia St. Grace Menesini Yerington C.F.S. 05/22/12 07/22/88 06/22/73 05/22/12 Z DATE 1.060 1.060 ACRES 89447 George Hughes and Robin Hughes, husband and wife who acquired title as George Hughes, a married man and Grace Menesini who acquired title as Grace Menesini, a married woman to Grace Menesini, an unmarried woman George, Joyce & Eva Hughes and Grace Menesini to George Hughes, Eva Hughes, and Grace Menesini Eva Hughes to George, Joyce, & Eva Hughes and Grace Menesini. DESCRIPTION Affidavit Death of Joint Tenant - Eva Huges, deceased 3.2076 FACTOR STORAGE DAYS 65 PER ACRE Address: Water Right Owner: 1.5444 ACRE FEET REQUIRED WALKER RIVER IRRIGATION DISTRICT YERINGTON, NEVADA TOTAL O. & M. Local No. 2 1.640 1.640 APPORTIONED ACRE FEET 1.64 TOPAZ RES. ACRE FEET 5/31/12 - Removed George and Eva Hughes 8/20/07 - Changed addess COMMENTS: 1.13 BRIDGEPORT RES. ACRE FEET 5 CLAIM # Ditch User# Claim No. Lyon County No. Index No. Non Wtr Rt. Acres Acre Feet Storage Water Rt. Acres TOTAL ACRES Campbell 1001 1429110 1.060 1.640

1.060

.000

#### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 39 of 48

APN 14-291-10 Order No. TSL-36317

WHEN RECORDED MAIL TO:

GEORGE HUGHES 1529 FAWNHAVEN WAY LODI, CA 95240

The undersigned her by affirms that this document submitted for recording contains the social security number of a person of person as required by law:

NRS 440.380

DOC # 491517

05/22/2012 04

04:27 PM

Official Record

Requested By TITLE SERVICE & ESCROW

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee: \$16.00
Recorded By: DLW RPTT:



SPACE ABOVE FOR RECORDER'S USE

TET AVET DEATH OF JOINT TENANT

COUNTY OF LYON ) ss.

George Hughes of legal age, being first July sworn, deposes and says: THAT the deceased mentioned in the attached certified copy of Certificate of Death, is the same lerger as EVA C. HUGHES, A WIDOW named as one of the parties in that der an Grant Deed dated July 22<sup>nd</sup>, 1988 executed by George Hughes, Joyce Atlan, Grace Menesini and Eva C Hughes to George Hughes, a married man and Grace Menesini, a married woman and Eva C. Hughes, a widow as Joint lenants and recorded in the Official Records of Lyon County, Nevada, on Novimber 28, 1988 as No. 120613 and covering all of that certain real projectly described as follows:

A parcel of land located in the SE 1/4 of the NE 1/4 F Section 28, T 14 N, R 25 E, M.D.B.&M., in Lyon County, Nevada, estribed as follows:

Beginning at the Southeast corner of the parcel which is located 0°19'30" E, 214.79 feet and N 89°40'30" W, 285.00 feet from the East one quarter corner of said Section 28; thence N 2°38'06" E, 205.27 feet; thence N 89°51'29" W, 220.00 feet; thence S 0°19'30' W, 205.00 feet; thence S 89°51'29" E, 230.60 feet to the point of beginning.

#### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 40 of 48

491517

05/22/2012 002 of 3

Legal Description appeared previously in Document No. 0120613, recorded on November 28, 1988, Official Records of Lyon County, Nevada.

Dated Sor lon

GEORGE HUGHES

STATE OF California

COUNTY OF San Joaquin

Subscribed and Sworn to before meton George Hughes.

May 5 ZOR

by

C. TEJEDA MM. # 1895850 UBLIC-CALIFORNIA

Notary Public

EXHIBIT 203

#### STATE OF NEVA

CERTIFICATION OF VITAL RECORD

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF HEALTH VITAL STATISTICS

STATE OF NEVADA - DEPARTMENT OF HUMAN RESOURCES

<b>L</b>	DIVISION OF HEALTH — SECTION OF VITAL STATISTICS
, F	ROLL 96 IMAGE 923 CERTIFICATE OF DEATH 99 004352
TYPE OR PRINT	DECEASED—NAME First Middle Last DATE OF DEATH (Month, Day, Year) COUNTY OF DEATH
IN PANAMENT LACK INK	HUGHES 2April 15, 1999 & Washoe
	3b. Reno 3c. St. Mary's Regional Medical Center (3c Inpatient / Female
CEDENT	RACE—(a.p., White, Black, American   Decodert of Hispanic Origin? Specify   yes   Grow if yes,   AGE—Last   UNDER 1 YEAR   UNDER 1 DAY   DATE OF BIRTH (Mo., Day, Yr.)
IF DEATH COURRED IN	STATE OF BIRTH Decedent's Education Specify highost MARRIED, NEVER MARRIED, SURVIVING SPOUSE (II wife, give mades name country) with the country with the countr
INSTITUTION EE HANGHOUR REGARDING	9a California Sb. S.A. 10. 8 (Specify) Widow 12.  SOCIAL SECURITY NUMBER U.S.L. CUB-BION (Give kind of Work Done During Most of 9/4 KIND OF BUSINESS OR INDUSTRY
SIDENCE ITEMS	13. — 7902 TAL MISTOR LOCATION STREET AND NUMBER INSIDE CITY LIMITS
<b>!→</b> [	15a Nevada 15a Lyon Yerington 15a 99 HWY 95A North 15e No
RENTS	MOTHER MADE First Middle Last  16. Asa Tonella May Scott
×	INFORMANT—NAME (Type or Print) MACOURESS (Street or R.F.D. No., City or Town, State, Zip)
ſ	BURIAL CREMATION, REMOVAL, OTHER (Specify) CEMETERY OR CREMATORY—12. LOCATION City or Town State
POSITION	190. Burial  190. Valley Vig. Sander ery 190. Yerington Nevada FUNERAL DIRECTOR SIGNATURE 100 Page 1 August 1 A
Ļ	20b. 511 zoc. 455 Kierke Lane, Reno, Nevada 89502 16
ſ	due to the cause(s) stated:    Common and the cause(s) stated:
DTIESEO	HOUR OF DEATH HOUR OF DEATH
RTIFIER	NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)
	NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER); (Type 1872) LICENSE NUMBER
NOMIONS	REGISTRAR  OATE RECEIVED BY REGISTRAR (MD. Day, The Communicable DISEASE
IF ANY IICH GAVE RISE TO MEDIATE	24a (Signature) > Value Pep. 24b. April 23, 1999 24c WEST WORD
ATING THE DERLYING	25 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) PART (a) Pulmonary embolus
USELAST	OUE TO, OR AS A CONSEQUENCE OF:  (b) Fracture of right hip (fall)
-	DUE TO, OR AS A CONSEQUENCE OF
USE OF	PART OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part 1. AUTOPSY (Specify WAS CASE REFERRING TO
	Atherosclerotic heart disease with chronic fibrillation 26 No. 26 No. 27. Yes or No. 27. Yes or No. 28. No. 28. No. 29. No. 27. Yes or No. 28. No. 29.
· ]:	Accident 23,1333   28c. 2000 M 28d. Fall from standing height
Ĺ	INJURY AT WORK (Specify Yes or No)  286. No 281. Home Street (Specify)  PLACE OF INJURY—At home, farm, street, factory, office. LOCATION. STREET OR R.F.D. No. CITY OR TOWN STATE 99 Hwy 95A N, Yerington, Lyon County, 28g. Nevada
(.	STATE REGISTRAR No. 144764
	STATE REGISTRAN

491517 CERTIFIED COPY OF VITAL RECORDS 05/22/2012

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

APR 0 2 2012

DATE ISSUED: ...

STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



#### Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 42 of 48

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>1/15</u>	1203			Signature E I-Can
	-			Printed/Typed Name
	2 *5		-	If you are acting on behalf of any entity, identify that you are
e- 14	σ.			acting as:of
	75) 11			(Title)
- a				(Corporate, Trust, Partnership or other entity)
	200	40		50 (7/5)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-15-2013 Printed/Pyped Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

ase 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 44 of 48 Hn Eileen Thank you Julee A Sw 1 2 IN THE UNITED STATES DISTRICT COURT 3 FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 In Equity No. C-125-ECR Plaintiff, Subfile No. C-125-B 6 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 7 WATER RIGHTS AND NOTICE OF 8 Plaintiff-Intervenor, RELATED INFORMATION AND DOCUMENTATION SUPPORTING 9 DISCLAIMER 10 WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 Defendants. 13 14 The undersigned counter-defendant in the above action hereby notifies the Court and the 15 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 16 no interest in any water right within the categories set forth in Paragraph 3 of the Case 17 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 18 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 22 Reno, NV 89501 23 And Susan L. Schneider 24 United States Department of Justice Sugan L. Schneider 25 999 18th Street United States Department of Justice South Terrace - Suite 370 P.O. Box 756 26 Denver, CO 80202 Littleton, CO 80160 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 27 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

## Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 45 of 48

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 1 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 2 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 3 additional information: The name and address of the party or parties who sold or otherwise conveyed 5 6 ownership: 7 Name(s): 8 Whented Former 9 Street or P.O. Box: 10 11 Town or City: 12 13 State: 14 15 Zip Code: The name and address of each person or entity who acquired ownership 16 17 Name(s): 19 20 21 Street or P.O. Box: 22 23 Town or City: 24 25 State: 26 27 Zip Code: 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

## · Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 46 of 48

1	€°
1	
1	
2	Cal - (-heat appropriate
-	<ol> <li>Attached to or included with this notice is a copy of the (check appropriate</li> </ol>
3	
4	box(es)):
8	
5	Decd .
6	Court Order
7	
	Other Document.
8	
9	1t-bad
20	by which the change in ownership was accomplished.
10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
11	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12	of Interest in this matter is unimately response
	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
13	in feet has water rights subject to this litigation, shall nevertheless be bound by the results of
14	· <b>1</b>
19	this litigation.
1	Executed this day of 20
1	7. Executed this
1	8
1.	9
2	0
2	1
	[gignature of counter services]
2	22
:	23 📗
	24
1	[name of counter-defendant]
	26
	27
	28 The second se
•	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

## Case 3:73-cv-00127-MMD-CSD Document 2 Filed 11/21/13 Page 47 of 48

[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

> [address] 535 S. Elle Ave Sondpoint Id Sondpoint 83864

[telephone number] 3-840 |

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

# 7-00127-MMD-CSD Document 2-Filed 11/21/13 Page 48 of 48

#### DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10/6-2012 100 Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.